

February 14, 2005

H 217. DRIVING FROM/LEAVING SCENE OF ACCIDENT. TO MAKE IT UNLAWFUL TO DRIVE AWAY FROM OR OTHERWISE LEAVE THE SCENE OF A MOTOR VEHICLE ACCIDENT IN CERTAIN CIRCUMSTANCES. Under current GS 20-166, if a vehicle is involved in a collision resulting in injury or death to any person, the driver of the vehicle is guilty of a Class H felony if the driver fails to stop or remain at the scene (other than temporarily leaving to call for assistance) without the consent of a law enforcement officer. Similarly, in a collision that results only in property damage, the driver of a vehicle is guilty of a Class 1 misdemeanor if the driver fails to stop at the scene. Act enacts new GS 20-166(c3) - (c6), making it illegal for the driver or a passenger to leave, or for the driver to allow the vehicle to be removed from, the scene of the accident (other than to call for assistance) without the consent of a law enforcement officer. A violation is a Class H felony if the accident involves injury or death to another person and a Class 1 misdemeanor if the accident involves property damage of \$1,000 or more. Effective Dec. 1, 2005.

Intro. by Harrison, Bordsen, Insko, Luebke.

Ref. to Judiciary I

GS 20

March 15, 2005

H 217. DRIVING FROM/LEAVING SCENE OF ACCIDENT. Intro. 2/14/05. House committee substitute makes the following changes to 1st edition. Deletes new GS 20-166(c3) – (c6) and incorporates those provisions into current GS 20-166(a) and (c). Deletes requirement that property damage must exceed \$1,000 before it is subject to prohibitions on leaving the scene of an accident and adds provision that prohibits passenger (was, driver only) from allowing the vehicle to be removed from the scene of the accident without officer's consent. Makes technical changes.

June 14, 2005

H 217. DRIVING FROM/LEAVING SCENE OF ACCIDENT. Intro. 2/14/05. Senate committee substitute makes the following changes to 2nd edition. Proposed amendments to GS 20-166 would require that the driver and any passengers involved in a motor vehicle accident remain with the vehicle until authorized to leave by a law enforcement officer. Amends section to state that the term "passenger" does not include any child who is less than 12 years old.

June 22, 2005

H 217. DRIVING FROM/LEAVING SCENE OF ACCIDENT. Intro. 2/14/05. Senate amendment makes the following changes to 3rd edition. Amends GS 20-166 to provide that the requirements of staying with the vehicle at the scene and, after leaving, of returning with the vehicle apply to passengers only "if possible." Further amends section to provide that a passenger will be subject to punishment under section only if the passenger removes the vehicle from the scene. Makes conforming changes.

August 12, 2005

H 217. DRIVING FROM/LEAVING SCENE OF ACCIDENT. Intro. 2/14/05. Conference report recommends the following changes to 4th edition to reconcile matters in controversy. Rewrites amendments to GS 20-166 to delete references to passengers in vehicles involved in collision that results in property damage, injury, or death and to make clarifying changes. Adds new GS 20-166.2 governing duty of those passengers to remain at scene of an accident. If passenger of vehicle knows or reasonably should know that vehicle in which he or she is passenger is involved in accident or collision, passenger may not willfully leave scene of accident by acting as driver of vehicle involved in the accident or collision (1) until a law enforcement officer completes the investigation or authorizes the passenger to leave or (2) unless remaining at scene places passenger or others at significant risk of injury. Willful violation of section is a class H felony if the passenger knows or reasonably should know that the accident has resulted in injury or death and a class 1 misdemeanor if the accident resulted only in property damage or the passenger doesn't

know or doesn't have reason to know that the accident resulted in injury or death. Makes it a class 1 misdemeanor for a passenger to fail to render reasonable assistance or give specified information regarding the passenger to person struck or to the driver or occupants of the vehicle that was hit.

October 5, 2005

SL 2005-460 (H 217). DRIVING FROM/LEAVING SCENE OF ACCIDENT. AN ACT TO MAKE IT UNLAWFUL TO DRIVE AWAY FROM OR OTHERWISE LEAVE THE SCENE OF A MOTOR VEHICLE ACCIDENT IN CERTAIN CIRCUMSTANCES. Summarized in *Daily Bulletin* 2/14/05, 3/15/05, 6/14/05, 6/22/05, and 8/12/05. Enacted October 2, 2005. Effective December 1, 2005.